

REMARKS

This Amendment is in response to the Office Action mailed 03/07/2006. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Claim Objections

2. The Examiner objects to the numbering of claims as not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not). There are two claims numbered 69.

Applicant has renumbered misnumbered claims 69-76 as 70-77 and corrected the claim dependencies accordingly.

Rejection Under 35 U.S.C. § 103

4. The Examiner rejects claims 68-70 under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al (6389464) and Leong et al (6393475).

Applicant respectfully points out that the present application is a continuation of parent application 08/684,130, now Pat. No. 6,008,805, and claims a priority filing date of July 19, 1996, as reflected in the amendment to the Specification filed on June 19, 2001 and in the Parent Continuity Data shown in PAIR. Krishnamurthy et al (6389464) and Leong et al (6393475) have dates that are later than the priority filing date of the present application and are therefore not prior art to the present application.

Krishnamurthy et al (6389464) has a filing date of June 27, 1997 and no claim of priority. Leong et al (6393475) has a filing date of June 27, 1997 and claims priority from application No. 08/901,198, filed on July 28, 1997, now Pat. No. 5,996,010.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 68-70 under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al (6389464) and Leong et al (6393475).

8. The Examiner rejects claims 39-40, 50-53, 63-66 and 71-77 under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al (6389464) and Leong et al (6393475) and Rothermel et al (6678827).

Applicant respectfully points out that the present application is a continuation of parent application 08/684,130, now Pat. No. 6,008,805, and claims a priority filing date of July 19, 1996, as reflected in the Parent Continuity Data shown in PAIR. Krishnamurthy et al (6389464) and Leong et al (6393475) and Rothermel et al (6678827) have dates that are later than the priority filing date of the present application and are therefore not prior art to the present application.

Krishnamurthy et al (6389464) has a filing date of June 27, 1997 and no claim of priority. Leong et al (6393475) has a filing date of June 27, 1997 and claims priority from application No. 08/901,198, filed on July 28, 1997, now Pat. No. 5,996,010. Rothermel et al (6678827) has a filing date of May 6, 1999 and no claim of priority.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 39-40, 50-53, 63-66 and 71-77 under 35 U.S.C. 103(a) as being unpatentable over Krishnamurthy et al (6389464) and Leong et al (6393475) and Rothermel et al (6678827).

Conclusion

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: June 7, 2006

/James Henry/
By _____

James Henry
Reg. No. 41,064
Tel.: (714) 557-3800 (Pacific Coast)